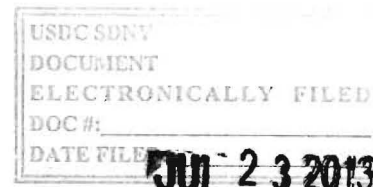




MICHAEL A. CARDOZO  
Corporation Counsel

THE CITY OF NEW YORK  
LAW DEPARTMENT

100 CHURCH STREET  
NEW YORK, NY 10007



Vicki B. Zgodny  
Assistant Corporation Counsel

Phone: (212) 356-2662

Fax: (212) 788-9776

vzgodny@law.nyc.gov

The Clerk of Court is Directed to:

Term motion (doc. #     )

☒ Doc. and File As: Later

July 12, 2013

**Via Fax**

The Honorable Paul J. Oetken  
United States District Judge  
United States Courthouse  
40 Foley Square  
New York, NY 10007  
Fax: (212) 805-7991

Re: Jushua Prevost v. City of New York, et al., 13-CV-3760

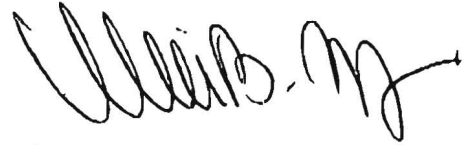
Your Honor:

I am the attorney assigned to the defense of this action. Pursuant to the Plan for Certain § 1983 Cases against the City of New York (the "§ 1983 Plan"), I request that the Court direct plaintiff to show good cause for the failure to provide defendants with the executed § 160.50 Release required by the § 1983 Plan. The § 160.50 Release is necessary so that the records pertaining to the plaintiff's claims can be unsealed and the lawsuit can proceed in a timely fashion pursuant to the § 1983 Plan.

On June 21, 2013, this office forwarded a § 160.50 Release to plaintiff's counsel along with a copy of the § 1983 Plan. The letter also advised plaintiff's counsel that the failure to provide the releases described in the § 1983 Plan for medical and psychological treatment records at the same time that the plaintiff serves the § 160.50 Release will result in the waiver of plaintiff's claims for compensation for any such physical or mental injuries. A copy of that letter is enclosed. To date, we have not received an executed § 160.50 Release or a response to our letter.

Accordingly, it is requested that Your Honor direct plaintiff to show good cause for the failure to provide the § 160.50 Release to this office. For the Court's convenience, a proposed order to show cause in the form approved by the § 1983 Plain is enclosed.

Respectfully submitted,



Vicki B. Zgodny  
Assistant Corporation Counsel  
Special Federal Litigation Division

cc: **Via Fax**  
Howard Z. Myerowitz, Esq.  
Song Law Firm, LLC  
400 Kelby Street, 7<sup>th</sup> floor  
Fort Lee, NJ 07024  
FAX: 201-461-0032

Capehart & Scatchard, P.A.  
225 Broadway, 13th Floor  
New York, NY 10007  
FAX: (973)-618-0685